IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl.Misc.No.72096-M of 2006

DATE OF DECISION: MARCH 12, 2007

Gurcharan Singh

...PETITIONER

VERSUS

Harpal Singh and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.K.S.Ahluwalia, Sr. Advocate
with Mr.J.S.Lalli, Advocate,
for the petitioner.
Mr.K.K.Goel, Advocate,
for respondent No.1.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Gurcharan Singh apprehending his arrest in criminal complaint dated 6.10.2004 filed by respondent No.1 under Sections 500/501/504/506/295A/355 IPC and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on November 17, 2006, the arrest of the petitioner was stayed subject to the condition that he will appear before the trial court and furnish his regular bail bonds to its satisfaction.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the petitioner, who is Sarpanch of Gram Panchayat of village Dodra, has been falsely implicated in the aforesaid complaint by the complainant/respondent No.1 because the petitioner was a witness in a case under Section 498-A IPC against the complainant and his son, which was got registered by Beerpal Kaur, who is resident of the village of the petitioner. Counsel contends that with intention to pressurize the petitioner not to stand as witness and not to help the other party in the case, the provisions of the Scheduled Castes and Scheduled

Tribes (Prevention of Atrocities) Act, 1989 have been misused and the aforesaid complaint has been filed.

Counsel for the petitioner further contends that in terms of the aforesaid interim order, the petitioner had appeared before the trial court and furnished his regular bail bonds which have been accepted and attested vide order dated 22.11.2006 passed by the JMIC, Mansa. A certified copy of the said order has been placed on record. Counsel also contends that since then the petitioner is regularly appearing in the trial court.

In view of the said fact and the facts stated in the interim order dated November 17, 2006, the same is made absolute.

Disposed of accordingly.

March 12, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE